

A  
COLLECTION  
Of the Substance of several  
SPEECHES

And DEBATES made  
In the Honourable  
House of Commons,

Relating to the  
**Horrid Popish Plot,**

Upon occasion of the BILL for Disabling  
*James Duke of York* from Inheriting the Imperial Crown of this Realm.

To which is prefixt

A SPEECH of the Noble Lord *L---* against  
*Roger L'Estrange*, in the House of Peers:

And also a Copy of two BILLS,

The one for Disabling *JAMES D. of YORK*,

THE OTHER

For Ease to all PROTESTANT DISSENTERS,  
by taking away the *Stat. 23. & 28. Q. Eliz. & 3. K. Jam. &c.*

Which passed the House of Commons last Session of Parliament,  
began at *Westminster* the 21. Nov. and Dissolved by Proclamation 18. Jan. 1680.

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COLLECTION  
OF THE  
SPEECHES

And DEBATES  
in the  
House of Commons

During the  
Session of 1801

Upon occasion of the Bill for  
amending the Law relating to the

A Speech of the Right Honourable  
George Canning

The late for Disfranchising

THE COMMONS  
FOR THE PROTESTANT DISSENTERS

Which was delivered in the House of Commons  
on the 11th of May 1801

By George Canning

Printed by J. G. & J. W. D. O. S.

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A  
Collection of Speeches  
And other DEBATES  
OF THE

Last Honourable and Worthy PARLIAMENT.

overlace  
The Lord L. Speech.

My Lords,

**M**Any have been the designs of the Papists to subvert this poor Nation from the Protestant Religion to that of the See of *Rome*, and that by all the undermining Policies possibly could be invented, during the Recess of Parliament, even to the casting the odium of their most Damnable Designs on the innocency of His Majesties most Loyal Subjects. We have already had a taste of their Plottings in *Ireland*, and find how many unaccountable *Irish* Papists daily arrive, which we have now under consideration. My Lord *Dumbarton*, a great Romanist, has Petitioned for his stay here, alledging several Reasons therein, which in my opinion make all for his speedy departure; for I can never think His Majesty and this Kingdom sufficiently secure, till we are rid of those *Irish* Cattle, and all others besides; for I durst be bold to say, that whatsoever they may pretend, there is not one of them but have a destructive Tenet, only they want power, not will to put it in force.

I would not have so much as a Popish Man nor a Popish Woman to remain here, nor so much as a Popish Dog, or a Popish Bitch, no not so much as a Popish Cat that should pur or mew about the King. We are in a Labyrinth of Evils, and must carefully endeavour to get out of them; and the greatest danger of all amongst us are, our Conniving Protestants, who notwithstanding the many Evidences of the Plot, have been industrious to revile the Kings Witnesses; and such an one is *Roger L'Estrange*, who now dis-appears, being one of the greatest Villains upon the Earth, a Rogue beyond my skill to delineate, has been the Bugbear to the Protestant Religion, and traduced the King and Kingdoms Evidences by his notorious scribbling Writings, and hath endeavoured as much as in him lay, to eclipse the glory of the *English* Nation; he is a dangerous rank Papist, proved by good and substantial Evidence, for which, since he has walked under another disguise, he deserves of all men to be Hanged, and I believe I shall live to see that to be his State. He has scandalized several of the Nobility, and detracted from the Rights of His Majesties great Council the Parliament, and is now fled from Justice, by which he confesses the Charge against him, and that shows him to be guilty.

My humble Motion is, That this House Address to His Majesty, to put him out of the Commission of the Peace, and all other publick Employments for ever.

*Speeches in the Honourable House of Commons.*  
*Mr. F. Winington.*

Mr. Speaker,

**I**n the Front of *Magna Charta* it is said, *Nulli negabimus, nulli differimus Justitiam*, we will defer or deny Justice to no man; to this the King is Sworn, and with this the Judges are intrusted by their Oaths. I admire what they can say for themselves; if they have not read this Law, they are not fit to sit upon the Bench; and if they have, I had almost said, they deserve to lose their Heads.

Mr. Speaker, The State of the poor Nation is to be deplored, that in almost all Ages, the Judges, who ought to be Preservers of the Laws, have endeavoured to destroy them; and that to please a Court-Faction: they have by Treachery attempted to break the Bonds asunder of *Magna Charta*, the great Treasury of our Peace; it was no sooner passed, but a Chief Justice in that day persuades the King he was not bound by it, because he was under Age when it was passed. But this sort of Insolence the next Parliament repented, to



the ruine of the pernicious Chief Justice. In the time of *Richard* the Second, an unthinking Dissolute Prince, there were Judges that did insinuate into the King, that the Parliament were only his Creatures, and depended on his Will, and not on the Fundamental Constitutions of the Land; which Treacherous Advice proved the ruine of the King, and for which all those evil Instruments were brought to Justice: In his late Majesties times his Misfortune were occasioned chiefly by the corruptions of the Long Robe; his Judges by an Extra-judicial Opinion give the King power to raise Money upon an extraordinary occasion without Parliament, and made the King Judge of such occasions. Charity prompts me to think they thought this a Service to the King, but the sad Consequences of it may convince all Mankind, that every Illegal act weakens the Royal Interest; and to endeavour to introduce Absolute Dominion in these Realms, is the worst of Treasons, because, whilst it bears the face of Friendship to the King, and designs to be for his Service, it never fails of the contrary effect.

The two great Pillars of the Government are Parliaments and Juries; it is this gives us the Title of Free-born English-men: for my Notion of Free English-men is this, that they are ruled by Laws of their own making, and Tryed by men of the same condition with themselves. The two great and undoubted Priviledges of the People have been lately invaded by the Judges that now sit in *Westminster-hall*; they have Espoused Proclamation against Law; they have discountenanced and opposed several legal acts, that tended to the sitting of this Honourable House; they have grasped the Legislative power into their own hands, as in that instance of Printing; the Parliament was considering that matter, but they in the interim made their private Opinion to be Law, to supersede the Judgment of this House; they have Discharged Grand Juries on purpose to quell their Presentments, and shelter great Criminals from Justice; and when Juries have presented their Opinion for the sitting of this Parliament, they have in disdain thrown them at their feet, and told them, they would be no Messengers to carry such Petitions; and yet in a few days after, have encouraged all that would spit their venom against the Government; they have served an Ignorant and Arbitrary Faction, and been the Messengers of Abhorrences to the King.

*Mr. Speaker*, What we have now to do, is to load them with shame, who have bid defiance to the Law; they are guilty of Crimes against Nature, against the King, against their Knowledge, and against Posterity. The whole frame of Nature doth loudly and daily petition to God their Creator; and Kings, like God, may be Addressed to in like manner by Petition, not Command. They likewise knew it was lawful to Petition; Ignorance can be no plea, and their knowledge aggravates their Crimes. The Children unborn are bound to curse such Proceedings; for 'twas not Petitioning but Parliaments they Abhor'd. The Atheist pleads against a God, not that he dis-believes a Deity, but would have it so. *Trefilian* and *Belknap* were Judges too; their Learning gave them Honour, but their Villanies made their Exit by a Rope. The end of my Motion therefore is, That we may Address warmly to our Prince against them; let us settle a Committee to inquire into their Crimes, and not fail of doing Justice upon them that have perverted it; let us purge the Fountain, and the Streams will issue pure.

November the 17th being appointed for Consideration of his Majesties Message, the Order being read, it was moved by a worthy Member,  
*S<sup>r</sup> Rich. Cary.*

That as long as Popery hangs over us, we could do nothing, and we ought to represent our condition to the King: And then when we had secured our Religion and Property, we should be ready to do any thing that might make the King happy and great.

*S<sup>r</sup> Wm Jones.* A Second. I am sorry that *Tangier* (that is, a Supply) is moved for, at so unseasonable a time; I confess *Tangier* is of great moment, but we have now in hands that which is of greater moment than ten *Tangiers* put together. The consideration of that, before we are secure in our Religion at home, is as when an Enemy was landed we should afterwards go to Fortifie the Coasts of *Kent*. And being told us by his Majesty we should secure our selves against Popery by all ways but meddling with the Succession, and should rest there, we are prevented of what is our preservation: And the providing for *Tangier* now, will be the weakning of our Security. When *Tangier* was put into the hands of the English first, there was an Article that there should continue a Popish Church, and the Religion that belonged to it to continue their Lives, but not to be replenish'd with new. And if it be enquired into, I believe it will be found, the number of them is not yet decreased. It is not long since there was a Popish Governour there, many Papists and Soldiers gone thither lately from *Ireland*. It is not a little Sum that will do what is need-ful



ful there; and if it should be a considerable one that should be given for it, it may be made use of to raise an Army there; so that we run into a great Inconveniency by providing for it; I think we ought to consider well of it before we do: And yet I am not for suddenly saying, we will raise no Money, but for clearly stating the Case by an Address to the King.

*S. Hyde. A Third.* I am only to acquaint you, That *Tangier* is not to be maintain'd without your Support.

*m. Hampden Fourth.* All things are to be consider'd Comparatively, and if it be made an Argument against the Duke's Bill that is at the Head of an Army in *Scotland*, and that in *Ireland* there are ten Papists to one Protestant, his great Interest in the Fleet, and being Admiral, and *Tangier* being a Seminary of Papists, then sure you have a special Argument to take *Tangier* into your Consideration, and Money may be for that service. But then this Parliament do not ask Petitions of Grace, but of Right. And will you part with your Money without any Security? You have often done so, and what are you the better for it? I long for the time, when we may give Money to make the King great; but if things must go on as they do, I am for a plain Bargain, to know what we shall have for our Money. For my part, I only desire our Security; but if we should give Money, I suppose you will take care what hands we put it in, and there ought to be a Trust: Let us Address his Majesty.

*m. Harbord A Fifth.* We are told *Tangier* is of Importance, it is a Nursery of Papists: And we are likewise told, The *Irish* sent thither are part of the *Irish* Army, and they take the Oath, that is no Security: Was not the Lord *Bellasis* Governour of *Tangier* and *Hull*, and the Pensioners Captain all at a time, and took the Oaths; those Soldiers, for ought I know, may be brought hither, and the asking for a Supply for it at this time is very unreasonable, because Parliaments have been put off two or three years, and whilst there are people that dare make a difference between the King and this House, we shall never be safe. Let us represent our Condition as boldly as may stand with good manners. It is not to be endured to see the Duke preferred before the King, as he was; as if Arguments of his greatness and power, were Arguments strong enough to hinder the Bill: He hath violated the Law, and we needed not to have gone this way to work, if we could have had Justice against him; but he is too great for that, let us Address his Majesty.

*S. Ed. Deering A Sixth.* If *Tangier* be wholly under the Duke's Care and Protection, and such a Seminary for Papists as hath been represented, I think to motion to have a Supply for it is unreasonable, and am against it; Order the bringing in the state of it.

*S. T. Player A Seventh.* I spoke the fence of the City formerly, and do so now again, and in the name of the greatest part of the Commonalty of the City of *London*, and we do declare, That we are ready to give Money, half we have, nay all, and be content to set up again, and get new Estates, if we can but be secured. The Burning of *London*, justly laid upon the Papists, and keeping Watch since the Plot, hath cost the City above 100000 *l*. The City of *London* is the Bulwark of our Religion: And is it not said the Duke is at the head of 30 or 40000 men? The Lieutenantcy and Justices, how are they molded for his turn. And if you do nothing now in this House, we must all without any more ado try to make a Peace with him as well as we can, I'll never do it: And will you for the sake of one man destroy three Kingdoms.

*m. Vernon A Eighth.* He moved that the Representation might declare, That we see no Security, but removing the Duke of *York*.

*Coll. T. A Ninth.* We discoursing of *Tangier* at this time, is like *Nero's* Fidling whilst *Rome* was consuming by Fire: If it be in a good condition, we cannot help it; if in a bad one, we are not in a posture to do it. Pray consider the condition by what's past, when King *Henry* the Eighth was for Supremacy, the Kingdom was for it; when King *Henry* the Eighth was against it, the Kingdom was against it. When King *Edward* the Sixth was a Protestant, the Kingdom was so; when Queen *Mary* a Papist, the Kingdom so: when Queen *Elizabeth* was a Protestant, the Kingdom so again: *Regis ad exemplum*, &c. And I believe even in King *Edward* the Sixth time, the Bishops themselves would not have been for throwing out such a Bill as this. And if King *Edward* had promised any thing for the preservation of the Protestant Religion, so that *Mary* might succeed, the Pope would no way have contrived so great a favour. The bidding us prevent Popery,

and the letting alone a Popish Successor, is as if a Physician should come to a man in a *Plen-  
rife*, and tell him, he may make use of any Remedies but letting of Blood; the party  
must perish, that being the only Cure. I am not at present for giving of Money, that be-  
ing to the State, as Food to the Stomack; if that be clean, meat turns to good Nourish-  
ment; but if it be out of order, it breeds Diseases: And so it is in the State, if that be  
not in order too. We have been often deceived, and by the same men again. Was not  
200000 *l.* given for the Fleet in 74, and was any of it employed that way? Money given  
for an Actual War with *France*, employed for a dishonourable Peace. Never so many  
Admirals, and so few Ships to guard us; never more Commissioners of the Treasury,  
and so little Money; never so many Councillors, and so little Safety: Let us Address his  
Majesty.

*Ed. Russell.* A Tenth. I'll never be for giving of Money for promoting Popery, and a Successor a  
public Enemy to the Kingdom, and a Slave to the Pope: whilst he hath 11 to 7 in  
the Council, and 63 to 31 in the House of Lords, we are not secure. And if my own  
Father had been one of the 63, I should have Voted him an Enemy to the King and  
Kingdoms; And we cannot live Protestants, I hope we shall dye so.

*St. Hen. Capell.* The Eleventh. Redress our Grievances first, and then and not till then Money: *Tangier*  
never was, nor will be a place of Trade. *Tituan* and *Sally* so near, they will never  
Trade with us to destroy themselves, and can never be for our Advantage. And I have  
many years wondered at the Counsel that have been for the keeping of it; And am of  
opinion, that *Popery* may be aimed at by it; and that our Councils are managed at *Rome*,  
from whence I saw a Letter from a Friend, dated the 21th of *October*, with the Heads of  
the King's Speech in it, to this effect, That his Majesty would command them not to  
meddle with the Succession; That he would ask no Money; That he would stand upon  
the Confirmation of the Lord *Danby's* Pardon; And that the keeping of *Tangier* was to  
draw on Expences; and was it not, would be for the blowing of it up.

*St. Tho. See.* Twelfth. I am for a Representation.

*St. F. Winthorpe.* Thirteenth. I remember before the last Session of Parliament, there was a Council held  
at *Lambeth*, and there hatched a Bill against Popery. It was for the breeding of Children  
of a Popish Successor; which admitted the thing; and it was called a Bill against Popery,  
but we called it the Popish Bill. I am for the Church of *England*, but not for the Church-  
men of the late Bishop of *St. Asaph*, on his death-bed good man could hardly forbear de-  
claring himself, which his Epitaph did (*Ora pro Anima*) ordered to be written upon his  
Tomb. We were told the other day, we ought to make the Duke a Substantive to stand by  
himself; That there was less danger of a General without an Army, than an Army with-  
out a General. And I have read in *Pliny*, which was most to be feared? An Army of *Lyons*  
with a Hare to their General, or an Army of Hares with a *Lyon* to their General; and  
it was concluded, that an Army of Hares with a *Lyon* to their General was most to be fea-  
red of the two. His Majesty is inclosed by a sort of Monsters, who endeavour to destroy,  
and I hope to move against them before we rise: and though we have lost our last Bill, we  
have not lost our Courage and Hearts.

*St. W. Temp.* Fourteenth. His Majesty desires your Advice and Assistance, it is seldom, which is very kind,  
and though you shall think fit not to give the latter, it's but mannerly to give the first. And  
I hope you will not resent any Injury, if any there were done by the House of Lords on the  
King, who though he cannot cure all ill in one day, he can ruine all. And I acquaint  
you, there is a very great weight laid upon this Session of Parliament, and upon the agree-  
ing of the King with the People, on which depends the welfare of the Protestants abroad,  
and hope you will not go about to Remonstrate now.

*Mr. Deering.* Fifteenth. If you had sent the Dukes, Lord *Cravens*, and *Mulgraves* Regiment to *Tangier*, it  
would supply the place with Men, and Disband the Lord *Oxfords* Regiment, and the Mo-  
ney on those employed, would bear much of the share of this.

Then the House resolved to appoint a Committee to draw up an Address upon the Debate of  
this House, to represent His Majesty the State and Condition of the Kingdom, in Answer  
to His Majesties Message about *Tangier*.

*The Speeches of several Learned and Worthy Members of the Honourable House of Commons, for passing the Bill against the Duke of York.*

*Col. Petrus.*

*Mr. Speaker,*

**T**H E Gentleman that spoke last, seems to intimate that we ought to have a due regard to the Kings Brother, and consider what infinite disadvantages will accrew to us, if we are too hasty in our Résolutions, as before the Duke is found guilty, to proceed to pass a Bill for Exclusion; for that nothing but War and Bloodshed can be expected from it; therefore he says we ought to be Moderate, and find out a Medium to secure the Protestant Religion, notwithstanding the Duke may be a Papist. Now Gentlemen, I give you the Dictates of my Heart; without either passion or prejudice, and should be as willing as any person to agree with what that Gentleman hath proposed, if any such reason can be brought to enforce it. For my part, I think it absolutely impossible that this Kingdom can be safe, or the Protestant Religion succeed under a Popish Successor; for do but review the Antient and Modern Histories, and you shall find how Protestants have lived under a Popish King; have they not been Massacred, Butchered, and enslaved in *Germany, France*, and in our own Countries, notwithstanding all the Laws, Vows, and Promises to the contrary? Are not the Tenets of the Papists destructive to the Protestant Religion, which is Heresie, and that Faith is not to be kept with such? See the barbarous usage of the Protestants in *Piedmont*, and in *Queen Maries* time; how then can we expect any better success? for by how much a Popish Prince seems to be Religious, by so much ought he to be looked upon desperately dangerous; for since the Papists make such Plotting and Designing to Subvert our Religion under a Protestant Prince, how much more will they act against us under a Popish Successor? For to think to restrain a Prince under the power of a penal Law, thereby to secure Religion, is no more then to tie *Sampson* with Cords; for will not the Courtiers be flattered by their Prince, to imitate the same Religion with him? and then will not we Protestants be discountenanced, and none but Priests and Jesuits have Dominion over us? For my part, if you pass not this Bill, we shall all agree to have our Throats cut; and I have no patience at all for that: you see how the Duke of *York* being a Papist, they have all the dependency on him, and hope to perfect their Villanies. Therefore take away this General, and this Army may be secured; and then being united at home, we need not fear what all the Papists in the world can do unto us, when we fight for the maintainance of our Laws and Religion by Exclusion of a Popish Prince, and rather withstand any violence that shall be brought against us, then be in danger every day to have our Throats cut by those that are amongst us. One Gentleman was pleased to say, that it was a Papist Jesuits Bill, and that which they brand the Papists withal, (*viz.*) Deposing of Princes. I do say as to that, That we do not Depose *James D.* of *York*, but as being a Papist, considering the sad consequence that will ensue; for should we admit a Papist, we should give away the Crown, for he would only have the Title, the Pope would be our Sovereign. And we ought to prevent any such Usurpers, who no doubt would make havock of our Estates, if he spares us our Lives. To tell us that Exclusion will cause a Civil War, I am of the contrary Opinion; for it will be more conducing to the preservation of the Kings Person and Government, our Laws, Lives, and Religion, to be Unanimous. Whereas Oppression, Fire and Faggot, might cause people to Rebel and be Mutinous, when the other would be a means to unite us. As I will give you a reason why we cannot restrain him otherwise, or use moderation towards him; for suppose I were riding a full speed on the Road on a secure Horse, a Gentleman passing by, desired me to be moderate, for that I would kill my Horse, when at the same time he knows that if I slacken my pace, I shall have my Throat cut by Thieves that are swiftly pursuing me; therefore I cannot be moderate in this case, unless I will sling away my life. And I will lay down another Similitude, that is, if I were Sailing to the *East Indies*, and passing the Equinoctial Line, most of the Sea-men were Distempered through Heat, and on their sick Beds, but it being told them, that the Ship is in danger of sinking, for there springs a Leak, upon which they all arise, and instantly follow the Pump; but the



the Chirurgeon acquaints them, that if they do not work more moderately, they will get the Calenture, and so destroy themselves; but they give him only the hearing, knowing that if they cease never so little, they are all drowned in the deep: therefore in this case there can be no Moderation. And to give an instance in Holy Writ, *Moses* was a meek and mild man, and a moderate Man, but seeing an *Egyptian* and an *Israelite* fighting, he immediately slew the *Egyptian*, for he knew it was to no purpose to be moderate with him; and afterwards seeing two *Israelites* fighting, endeavoured to part them, telling them, they were Brethren, and ought to be Moderate; so we must place it upon the right object, and not suffer our selves and Posterity to be irrecoverably undone.

*Another Speech by an Incomparable and Worthy Gentleman.*

*sr. Will. Jones.*

*Mr. Speaker,*

N O Man hath a greater Veneration for the Royal Family than my self, to which I am obliged both in gratitude and duty, I am bold to say that I have a great esteem and honour for the D. of Y. Yet I must before the passing of this Bill (to dissent from that worthy Gentleman that thought it a Bill of Rigour, for it is, as I conceive, a Bill of Grace and Mercy) Vote for it, as a Favour for the D. I am sure it is so to the Royal Family, they cannot be safe till the Bill be passed; in tenderness to one Branch we must endanger the whole.

That Worthy Gentleman that moved last, seems to intimate, that the passing this Bill is against our Oaths of Allegiance and Supremacy: I admire his mistake, and it is the first time I ever heard the Protestant Oaths cited to justify a Popish Successor: It is urged we are Sworn to the King, his Heirs and lawful Successors; it is true, we are so, but not obliged to any in the Kings life time but himself, for that were Treason: He has no Heirs or Successors by Law during his own Life, *Non est Heres viventis*. We are likewise told, we are designing a Bill to UNITE the Protestant Interest, but will divide it, because many true Protestants are for the true Heir, and for the D. of Y. if he be so, which may occasion the effusion of much Blood amongst us.

*Mr. Speaker,*

UNITY is desired by all, yet let us be glad to divide from such men, for when this Bill is passed, their false Loyalty will be a Crime, and we know not what Character to give it, and what punishment to assign them; LOYALTY is a Correspondency and Submission to the Law, it is that surrounds the King, and makes his Person Sacred.

It is hinted that we must Impeach the Duke, I should be for that if he did not withdraw, I will not say fly from Justice; if we Impeach him being absent, we can only Attaint him, and should he survive the King, and be then Lawful Heir, the Descent of the Crown takes off all Attainders, and such proceedings were only an Illusion, and would indeed involve us in Blood.

Let us disable him, 'tis absolutely necessary, without 'tis impossible to save. I perceive no Gentleman here has confidence to deny the Loyalty of the Fact, or excuse the black Crimes that appear before us. Why do they not answer the Evidence that is now come in? If it be false, contradict it; if true, what is the reason of this Debate? Is not the King alive? Is not all Loyalty due to him? Love hates a Competitor, much more a Crown.

*A SPEECH spoke by the same Worthy Member, Upon the Irish Informations, given in at the Bar in Writing.*

*ST. W<sup>m</sup> Jones.*

**T**HIS is not so much a *Discovery* as a *confirmation* of the *Discovery* of the Plot, although some inconsiderate men are apt to give Credit to the dying words of some men. This agrees exactly with *Oates* his first *Discovery*. It adds to the strength of what *Coleman's* Letters imported: but so deplorable is our Condition, we are in danger, we see the Knife is even at our Throats, but none seeks to take it out of our enemies hand.

You have Witnesses against a Great Person, one before, another now; he is a Lord, a Privy Councillor, and sits in Council still: My Lord of *Tyrone*, he is in the *Gate-House*, but not secured: There is one *Informant* tells you they received encouragement from the D. of *T.* and that he promised them Assistance: I call not the truth of this in question, but we see they make use of these great Names: so that even in this Kings time, we are not secure a day without the Bill. They have reason to believe that a *Papish* Successor will assist them in their Rebellion.

Now we see why our Ministers made a Peace; We thought our Security to be in the *French* Kings being involved in a War: Now I say, the reason of the *Nimeguen Plenipotentiaries* making a Peace is seen, to have the *French* King be at Liberty to send Men into *Ireland*. Here you have a full Confirmation of this Evidence; We see our danger both at Home and Abroad, and what posture we are in, if any means be left for our Security.

Let these *Depositions* be Printed that the Country may see our Danger: if we will not Impeach the Earl of *Tyrone* presently; if he should write into *Ireland*, I am afraid he will find too much favour there: consider the Case of this Lord the Privy Councillor; he is a great Man, and a Lawyer; if I thought we could not reach him, we would not go about to Impeach him. Agree with the Lords in their Vote, and desire them to agree with you, that the *Papists* may not draw their encouragement from a *Papish* Successor.

*Another Speech by a Person of Honour.*

*L<sup>d</sup> Candish.*  
*Mr. Speaker,*

**I** Have not hitherto troubled you, and am so sensible of my own inabilities in comparison of so many wiser and abler men in this house; that 'tis with great unwillingness, I rise up to speak; but when I hear the Honour and Justice of this house call'd in question, as it was by that Honourable member which spake last; I cannot I confess bear it with patience, but must (as I think it my duty) endeavour to vindicate the Justice of the House: For I must profess Sir that in my Judgement this bill is so far from an unjust thing, that it is rather a favour to him, since if he were proceeded against by Impeachment for the Crimes he is accused of by several Witnesses, he might perhaps forfeit more than a Crown; which for our safeties only we go about to exclude him from enjoying: And since it is undoubtedly in the Power of Parliaments to dispose of such Successions, It seems very hard with me to Tax this House with injustice for so doing, upon so great reason and necessity as now requires it.

I will not Sir at all deny the many great services (mentioned by that Honourable Member,) the Duke has done the Nation at Sea, nor will I say any thing at all in De-

rogation of any one of them, but yet I do not think he fought for us when he was asleep.

There are several things Sir, wherein this Nation hath been betrayed, I will not lay any of them directly upon him, but when I think of some of them, I am very much startled and know not well what to believe; for when I consider that in the fire of London, there were several outlandish men taken in the very act of firing a House, and being delivered to the Guard, were presently set at liberty by the Officer that commanded it, and that such a man should ever since not only continue, but increase in the Dukes favour to the greatest degree imaginable, I must confess I do not like it, and I think it looks very ill.

When I also think of the General design which plainly appears to have been carried on all along, to destroy the people & to weaken the Nation as much as possible, as appears by the Treachery was used at *Chatbam*, & the *French's* standing still while the *Dutch* & we cut one anothers Throats, this also in my Judgment is very ill, Nor doth it appear better that it was taken ill, that the D. of *Monmouth* when he was sent into *Scotland*, did not cut those poor miserable peoples throats. (But that Prince had too much humanity & discretion than to do it) But I do not particularly charge any Person with the.

There are many things Sir spoken of by the Witnesses you have heard relating to the Duke, as also several things in the Letters you have heard read, I shall not repeat any of them: I will only tell you a passage comes into my mind, and I do not tell it for the sake of the Story, but that it appears to me by it, that the Duke was either somewhat concerned in the Plot or at least to hinder the discovery of it; for the D. speaking publicly to all that were round him, of one *Le Faire* that was accused by Mr. *Bedloe*, to have been one of Sir *E. B. Godfreys* murderers and one of the Queens servants, he said that could not be, because there was no such man as *Le faire* about the Queen, but yet it so fell out they say, that in some little time after there was a Bond found, under this man's own hand, and he proved to be one of the Queens Servants, and run away upon this business.

Now Sir, If this were so, 'tis impossible the other should be true, and if a Prince, or any man speaks an untruth, it is a fault so hateful to me, that I must confess I know not what to call it, nor what name to give it (It is the Devil.)

I shall trouble you Sir with one thing more which comes into my mind, and if true is as bad as any thing can be: There was Sir a *Erench Protestant* came o're to the King to make proposals for the interest of the Protestant Religion —

*S<sup>d</sup> Arlington.* Here a Person of Honour standing up, said, *He never heard a Prince so Reflected upon in his life:* Upon which the House cried, *Go on, Go on:* The Gentleman answered.

*m<sup>r</sup>. Booth.*

*Mr. Speaker,*

I wonder that Noble Lord should thus interrupt me, for I have not positively affirmed any thing at all of the D. though I have said nothing but what in my Judgment I thought might be Truth, and I shall not change my mind for his being displeased at it: but however I am very well satisfied to say no more: but only, that I remember that Honourable Person by the Bar, told us, he would not speak to the prudential part against the Bill, and truly Sir, I think he has kept his word very exactly: and that, whereas another Member before him objected, *That it was possible the D. might turn Protestant*, I would only answer, that I do not think it possible, that any Person that has been bred up in the Protestant Religion, and hath been weak enough (for so I must call it) to turn *Papist*, should ever after (in that respect) be wise enough to turn *Protestant*, and therefore Sir, upon the whole Matter, my humble Motion is, *That the Bill may pass.*

*Debates*



Debates in the House of Commons, Jan. 7. 1680.  
upon His Majesties Message.

*Ed. Russell.* The first Speech by an Honourable Gentleman.

**H**IS Majesty relies not only on the Dictates of his own Judgment, but is confirmed by the judgment of the House of Lords; but many of them have gained their Honour by Interest rather than Merit. His Majesty hath given no Answer to several of your Addresses; when you say nothing can secure you, but this Bill, that he should propose other means; but if we have not the Bill, we are deprived of the means to preserve his Majesties Life, Person and Government. I never knew that *Tangier* was more considerable than all the Three Kingdoms: Is it time to be silent, or not? Why is all this stir for a Man that desires the Throne before his Majesty is dead? He is in all the Plot, either at one end or other: who took evidence of *London-Fire*? Arbitrary-Power was at the end; and no Religion like *Popery* to set up: That I will pay the Duty and Allegiance of an English-Man to an English prince: But *Popery* and Arbitrary-Power must be Rooted out. Can you hope for any good while this Man is Heir, an *Apostate* from his Religion; his Government is the most dangerous; Our Ministers of State give us little hopes from *White-Hall*; I hope they will be named; First set a *Brand* on all them that framed the Answer: and all them that shall lend money by way of anticipation; desire him to take advice of his Parliament, rather than private men, or to let us go home, and attend his service when he shall again call for us.

*Mr. Sacheverell.* The Second Speech by another Person of Honour.

I am afraid we are lost, We have done our parts, shewed our Selves good Subjects; but some stand between the King and Us to promote the Duke of York his Interest: Those that advised the King not to Pass the Bill, deserve to be Branded.

*S<sup>r</sup>. Hen. Capell.* The Third Speech by an Honourable Gentleman.

We have made the modestest Request that ever People did in such a Time of danger: We have neither Passed a Bill, nor obtained a kind Answer; our Trust must be in our Votes: When the King bad us look into the Plot, like well-meaning-Country-Gentlemen, We looked into the *Tower*; We should have looked into *White-Hall*, There the Plot is hatched, cherished and brought up: It would be well, if all against the Bill were put out of Councel, and all of this House were put out of Commission that were for it: I had rather the *Moors* had *Tangier*, The French King *Flanders*, than the Pope had *England*.

*L. Hyde.* The Third Speech by another Person of Honour.

I think the Debate is upon a Message from the King; and the most especial part is about the Bill; I concur with that Noble Person, rather than with all the rest; But begin with the first, his Majesty hath suffered us twice to Address upon the Bill; yet the Lords have not admitted one conference; I believe every man came unwillingly into this Bill; have any that were against it proposed any thing for our security, if they will, let them stand up, and I will sit down: I have advised with men, that know the Laws, Religion, and Government; They say if you will preserve this Government, this Law; This Bill must pass; We have received no expedient from the Lords; The State of the Nation lies at their Door: They sit to hear Causes; they mind you of Mr, *Seymour*, but say nothing of the Bills. In *Richard* the 2d his time. some Lords were said to be Lords in the King's Pocket, but had no shoul-

shoulders to support him. Its plain our Evil comes from evil Ministers. There are some that will have a Prince of one Religion on the Throne, to Rule the people of another; a Popish Prince and a Protestant Kingdom: will any Ministers of parts, unless they have an indifferency of Religion, think this consistent? I Dedicate my Allegiance to the King; They to another person, so the Kingdom must be destroyed: either this limited Monarchy must stand, or come to Bloud; on the other side *Water-Monarchy* is absolutely supported by little men of no fortune; and he that takes mean and low men to make Ministers of, Ser's up for *Poper*y and *Arbitrary* Government: The King hath Councils born; if you have a Popish Prince, and a Protestant Parliament; will the King ever concur with them in matters of Religion and Property; are not your Estates sprinkled with *Abbey-Land*s? If he asks money, will you trust him? must Foreigners comply with a Prince that in effect hath no people? We must be overcome with *France* and *Poper*y, or the Body will get a new Head, or the Head a new Body.

*The Fifth Speech by a Person of Honour.*

*St. Tho: Lee.*

The House was unwilling at first to enter into a Debate about Expedients, and I am not prepared to propound them; any thing you have heard proposed by the King in *Print*, if you had them, they will do you no harm: One day you say the King had been a good Prince, if he had good Company and good Councils; no great Complement to the King; he offers you any thing but the Bill; I humbly make my Motion to try it.

*The Sixth Speech by an Honourable Gentleman.*

*Mr. Hampden Senior.*

I think it becomes that Gentleman very well to be of the Opinion he is, though no man else in this House. I wish the D. was of that Opinion his Father desired him. The Lords rejected the Bill, but I am afraid the King Solicited, or else they would not; its some mens interest to be for the D. but while they are at Court, we shall never have it: Foreign Persons have given influence at Court; the *French* Ministers access to Court, inclines me to believe some body is paid for it: The Court is a Nursery of Vice; they transmit them into the Country, and none but such men are employed.

*The Seventh Speech by an Honourable Gentleman.*

*St. Wm. Jones.*

The Question now before you is, *Whether any means be effectual besides the Bill*; I have heard none proposed in this Parliament; the last Parliament thought not fit to debate them they were so weak: But hath this *Plot* been no longer than 1678. We gave 25000*l.* to fight the *Dutch*, and assist them that had a Design to Subdue us, and the *Protest. n.* Religion, which is not well settled. Have all the Laws been put in Execution against the *Papists*? but a few Apprentices going to pull down a Bawdy-House, with a Red Cloth on a Pole, was made Treason, but what hath been done with the *Plot* in the intervals of *Parliament*. The Lords have confirmed the King in his Opinion; but did not the *proviso* for the D. come from the Lords-House; I believe the Lords do not fear him; but I believe the *Plot* is more dangerous than ever. To rely upon any remedy but this Bill, will expose your Selves and your Religion.

*The Eighth Speech by an Honourable Gentleman.*

*St. F. Winington.*

You have had several Propositions, but first make an end of one. It is long since we thought in this House we were not secure without the Bill, some have not yet considered of it, and I think we never shall. To make an *Act of Association* against the D. is to say, *let him be lawful King, and then fight against him.* Another way is *Banishment*, if it be during the Kings life; truly you run into more dangers, rather than remove them; if you talk of *Banishment* during the D. life, that is *Exclusion*: if the D. be

D. be a *Papist*, exclude all *Papists* from inheriting. Some talk if an *Act* pass, they would not satisfy their Consciences, I am sure a Vote to *Exclude* him will not. *Papery* encreases upon hopes the D. may come to the Crown? we ought to take care of this *presumption*; will not *Papists* expect to have their Religion established when the D. is next: I wonder men will pretend to plead for Loyalty to one, that they may never come to use it; some say, *cannot the D. change his Religion?* must not the Two Houses join? did not Q. Mary do it, *Regis ad Exemplum*, most will conform. To make Arguments of this Bill is to lessen it; the King bids you go on to other things; let's declare *all other things are ineffectual without this Bill*; we cannot think our selves safe; to rely on any thing else, is not only insufficient but dangerous.

*The Ninth Speech by an Honourable Gentleman.*

Now I see the House so full, so considerate; I am bound to give my thoughts. The Reason, the Verity of the Bill hath formerly been debated, and Precedents are Printed to shew it hath been done. *It will be a reproach to us when dead in our Graves, if we do not whatever any Parliament did to preserve Religion.* When we received the Kings Message, I was perswaded he was over-ruled by other men; for he saith, *what shall come in a Parliamentary Way*; how comes the King to know what's done in Parliament? When *Chifford* set up bare-faced for *Papery*, he brought the King to come frequently to the House of Lords. *Cranmer* saith, That K. Henry 8. passed the Act of 6 Articles, in an Un-Parliamentary way, *by the Kings coming and soliciting.* H. 4. in a Record called *the indemnity of the Peers and Commons*, the King being in haste for Money, sends a Message, desires he may debate the matter with them, they return answer, *Parliaments ought to debate free.* Its entred in the Rolls, *That the King shall neither come to one House or other: Danby's* soliciting could not move them, the King comes and he prevails: Some Lords have little Estates, some little Consciences, some less Religion. The King calls it *an opinion*, and tells you he is confirmed in it by the House of Lords; he may come to take up other Resolutions, if the Parliament go away and leave this work undone: The King is in the Highest Danger, though some men think they shall be accounted Loyal for opposing an Act of Parliament; it is but a Nick-name. King James in his Speech, 1603, thought it his security to comply with his Parliament: Nay, *He should betray his Country and Posterity in not doing it.* Remember what care the last King took to have his Posterity maintain the Protestant Religion. Remember Q. Mary broke her Word for Conscience sake every day; a security would draw me from the Bill. Q. Eliz. association against the Queen of Scots in the Act of Parliament was an Exclusion, she was but a Woman; but had wise Countessors, Prelates then did not fear the frown of a Prince. Surely when the King sees so many Gentlemen of this House so firm, he will take their advice, and Prorogue them, and then pass the Bill. I find not a Man that hath understanding, but saith, *We are undone without it*; We have not Compounded yet for our Throats, as some at *White-hall* have done, there is no next best; the only way to preserve the Protestant Religion is to Pass the Bill; what is as secure as this, must be amounting to Exclusion; We can't save his Personal Dignity, but with the loss of our Laws and Lives too. I would to God the King knew how well this House doth love him.

*The Tenth Speech by an Honourable Gentleman.*  
*St. Acoline Jenkins.*

Consider whether the dis-inheriting of a Lawful Prince be injustice or not; or whether We ought not rather to trust to the Providence of Almighty God.

*The Eleventh Speech by an Honourable Gentleman.*  
*Col. Fitz.*

I should be glad the last Gentleman would make it good, that we are to trust to the Providence of Almighty God; rather than do, as he supposes, an unlawful act; but can he prove it unlawful; can the King, Lords and Commons do an unlawful Act? must we not have a Supream Power? but to hint it to something is to say it is not Su-



pream; was there not *Machinations* every year against *Queen Eliz.* but she took away the *Scotch Q.* I wonder we have this answer, till I consider who is at the Ks. Ear, and have had an interest carried on so long. The denial of this, is the denial of every thing; you see where there are divers Medicines, yet but one conducing to the end; you shall have a *Pop. K.* if that be allowed, with power to compel and corrupt you, you shall have what you will to protect you, but you shall be under the power of one to destroy you. *The Frogs shall have a Government; but they must have a Stork for their K. Sampson's Locks will be grown again by that time he comes in; There is a Lyon in the Lobby, keep him out say I, no says some, open the door, we will chain him when he's come in:* would you have a *K.* that would neither court you nor protect you; you would have a Parliament to make Judges and Bishops, then sure the *Long House* will be *jure divino*; you can have no security under the Copes of Heaven without this Bill.

### *A Copy of the Duke of YORK'S Bill.*

**W**HEREAS *James Duke of York* is notoriously known to have been perverted from the *Protestant* to the *Popish Religion*; whereby not only great encouragement hath been given to the *Popish Party* to enter into, and carry on most Devilish and Horrid Plots and Conspiracies for the Destruction of his Majesties Sacred Person and Government, and for the Extirpation of the True Protestant Religion: But also if the said Duke should succeed to the Imperial Crown of this Realm; nothing is more manifest than that a Total Change of Religion within these Kingdoms would ensue. For the preservation whereof, **Be it Enacted** by the King's Most Excellent Majesty, by, and with the Advice and Consent of the Lords Spiritual and Temporal, and the Commons in this present Parliament Assembled, and by the Authority of the same; That the said *James Duke of York* shall be, and is by the Authority of this present Parliament Excluded, and made for ever incapable to Inherit, Possess, or Enjoy the Imperial Crown of this Realm, and of the Kingdoms of *Ireland*, and the Dominions and Territories to them, or either of them belonging, or to have exercise, or enjoy any Dominion, Power, Jurisdiction or Authority in the same Kingdoms, Dominions, or any of them. **And be it further Enacted** by the Authority aforesaid, That if the said *James Duke of York* shall at any time hereafter, challenge, claim, or attempt to possess, or enjoy, or shall take upon him to use or exercise any Dominion, Power, or Authority, or Jurisdiction within the said Kingdoms, or Dominions, or any of them, as King or Chief Magistrate of the same; That then he the said *James Duke of York*, for every such offence, shall be deemed and adjudged guilty of High Treason; and shall suffer the pains penalties and forfeitures, as in case of High Treason: **And further** that if any Person or Persons whatever shall assist, or maintain, abett or willingly adhere unto the said *James Duke of York*, in such challenge, claim or attempt; or shall of themselves attempt, or endeavour to put or bring the said *James Duke of York* into the Possession, or Exercise of any Regal Power, Jurisdiction or Authority within the Kingdoms and Dominions aforesaid; or shall by Writing or Preaching advisedly publish, maintain or declare, That he hath any Right, Title, or Authority to the Office of King or Chief Magistrate of the Kingdoms and Dominions aforesaid, That then every such person shall be deemed and adjudged guilty of High Treason; and that he suffer and undergoe the pains, penalties and forfeitures aforesaid.

**And be it further Enacted**, by the Authority aforesaid, That he the said *James Duke of York* shall not at any time, from, and after the 5th. of November 1680. return, or come into, or within any of the Kingdoms or Dominions aforesaid; **And then**

then he the said *James Duke of York* shall be deemed and adjudged guilty of High Treason; and shall suffer the pains, penalties and forfeitures as in case of High Treason; and further, that if any person or persons whatsoever shall be aiding or assisting unto such return of the said *James Duke of York*, That then every such person shall be deemed and adjudged guilty of High Treason; and shall suffer as in Cases of High Treason.

And be it further Enacted, by the Authority aforesaid, That He the said *James Duke of York*, or any other person being guilty of any of the Treasons aforesaid, shall not be capable of, or receive benefit by any pardon, otherwise than by Act of Parliament, wherein they shall be particularly named; and that no *note prosequi*, or Order for stay of Proceedings shall be received or allowed in, or upon any indictment for any of the offences mentioned in this Act:

And be it further Enacted and declared; and it is hereby Enacted and Declared, that it shall, and may be lawful to, and for any Magistrates, Officers and other Subjects whatsoever of these Kingdoms and Dominions aforesaid; and they are hereby enjoined and required to apprehend and secure the said *James Duke of York*, and every other person offending in any of the premises, and with him or them in case of resistance to fight; and him or them by force to subdue: for all which actings, and for so doing, they are, and shall be by virtue of this Act saved harmless and indemnified.

Provided, and it is hereby declared, that nothing in this Act contained, shall be construed, deemed or adjudged to disenable any other person from inheriting and enjoying the imperial Crown of the Realms and Dominions aforesaid; (other than the said *James Duke of York*) But that in case the said *James Duke of York* should survive his now Majesty, and the Heirs of his Majesty's Body; The said Imperial Crown shall descend to, and be enjoyed by such person or persons successarily during the Life of the said *James Duke of York*, as should have inherited and enjoyed the same in case the said *James Duke of York* were naturally dead, any thing contained in this Act to the contrary notwithstanding.

And be it further Enacted, by the Authority aforesaid, that during the Life of the said *James D. of York*, This Act shall be given in charge at every Assizes and General Sessions of the Peace within the Kingdoms, Dominions and Territories aforesaid; and also shall be openly Read in every Cathedral Church, and Parish Church, and Chappels within the aforesaid Kingdoms, Dominions and Territories, by the several Respective Parsons, Vicars, Curats and Readers thereof, who are hereby required immediately after Divine Service in the Fore-noon to read the same twice in every year, that is to say, on the 25. of December, and upon *Easterday*, during the Life of the said *James Duke of York*.

*This BILL was Read three times, and Passed, and sent up to the LORDS for their Concurrence.*

*The*

THE  
**BILL of EASE**  
**To all Protestant Dissenters.**

By taking away the Statutes 23. and 28. Q. Eliz. and 3. K. James, &c.

**F**ORASMUCH as Some Ease to Tender Consciences in the Exercise of Religion, may be an Effectual Means to Unite His Majesties Protestant Subjects in Interest and Affection, which is highly necessary in this time of Eminent Danger, from the common Enemy the Papists. **Be it Enacted** By the Kings Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal and the Commons in this present Parliament Assembled, That neither the Statute made in the twenty third Year of the Reign of the Late Queen Elizabeth, Entituled *An Act to retain the Queens Majesties Subjects in their due Obedience*: Nor the Statute made in the twenty eighth Year of the said Queen, Entituled *An Act for the more speedy and due Execution of certain Branches of the Statute made in the twenty third Year of the Queens Majesties REIGN*, (*Videlicet*) the aforesaid Att nor Statute made in the third Year of the Reign of the Late King James, Entituled *An Act to prevent and avoid dangers which may grow by Popish Recusants*, nor any other Law or Statute of this Realm, made against *Popish Recusants*, shall be construed to Extend to any Person or Persons Dissenting from the Church of England, that shall (being lawfully required) take the Oaths of Allegiance and Supremacy, which Oath of Allegiance is contained in a Statute made in the third Year of the late King James, and make and Subscribe the Declaration mentioned in a Statute made in the twentieth Year of His Majesties Reign that now is, Entituled *An Act to prevent Papists from Sitting in either House of Parliament*. **And be it further Enacted** by the Authority aforesaid, That all and every Person and Persons already Convicted, or Prosecuted in order to Conviction of *Recusancy*, by Indictment, Information, Action of Debt, or otherwise grounded upon the aforesaid Statutes, or any of them that shall take the said Oaths of Allegiance and Supremacy, and make and subscribe the aforesaid Declaration in the Court of *Exchequer* or Assizes or General or Quarter Sessions to be held for the County where such Person lives, and to be thence respectively certified into the *Exchequer*, shall be thenceforth discharged from all the Penalties, Seizures and Forfeitures incurred by force of any the aforesaid Statutes, without any Composition, Fee, or further Charge whatsoever. **And be it further Enacted** By the Authority aforesaid, that all and every Person and Persons, (that being lawfully required) shall take the said Oaths, and make and subscribe the Declaration aforesaid, shall not be liable to any Pains, Penalties or Forfeitures mentioned in an Act made the thirty fifth Year of the late Queen Elizabeth, Entituled *An Act to retain the Queens Majesties Subjects in their due Obedience*, nor in an Act made in the twenty second Year of His Majesty that now is, Entituled *An Act to prevent and suppress Seditious Conventicles*, nor shall any of the said Persons be Prosecuted in any Ecclesiastical COURT, for or by reason of their Non-conforming to the CHURCH of ENGLAND. **Provided** always **And**  
be



**And be it further Enacted**, By the Authority aforesaid, That if any Assembly of Persons, Dissenting from the Church of *England*, shall be held in any place for Religious Worship, with the Doors Locked, Barred, or Bolted, during any time of such meeting together, all and every Person or Persons, that shall come to and be at such Meeting, shall not receive any benefit from this Law, but be liable to all the Pains and Penalties of all the aforesaid ~~Laws~~ recited in this Act, notwithstanding his making and subscribing the Declaration aforesaid; ~~Provided~~ always, that nothing herein contained shall be construed to exempt any other Persons aforesaid, from paying of Tythes, or other Parochial Duties; nor from any Prosecution in any Ecclesiastical Court, or elsewhere, for the same.

**And be it further Enacted**, By the Authority aforesaid, That if any Person Dissenting from the Church of *England*, as aforesaid, shall hereafter be chosen, or otherwise appointed, to bear the Office of High Constable, or Petty Constable, Church-warden, Overseer of the Poor, or any other Parochial or Ward Office: And such Persons shall scruple to take upon him any of the said Offices, in regard of the Oaths, or any other Matter or Thing required by the Laws, to be taken or done in respect of such Office, every such Person shall and may Execute such Office or Employment, by a sufficient Deputy, by him to be provided, that shall comply with the Laws on his behalf; ~~Provided~~ always the said Deputy be allowed and approved by two or more Justices of the Peace of the County in which such Office is to be Born and Executed.

**And Be it further Enacted**, By the Authority aforesaid, That no Person Dissenting from the Church of *England* in Holy Orders, or pretending Holy Orders, or pretending to Holy Orders; nor any Preacher or Teacher that shall take the Oaths of Allegiance and Supremacy, at the General or Quarter Sessions of the Peace, to be held for the County, Town, Parts, or Divisions, where such Person lives (which Court is hereby impowered to administer the same) and also make and subscribe the Declaration aforesaid, and shall also subscribe his Assent and Consent unto an Approbation of the Articles of Religion, mentioned in the Statute made in the Thirteenth Year of the Reign of the late Queen *Elizabeth*, except only the Thirty Fourth, Thirty Fifth, Thirty Sixth Articles; and also except those words in the Twentieth Article (*viz.*) *The Church hath Power to Decree Rights and Ceremonies, and Authority in Controversies of Faith*; shall be liable to any of the Pains or Penalties mentioned in an Act made in the Seventeenth Year of the Reign of His Majesty that now is, Intituled, *An Act for Restraining Nonconformists from Inhabiting in Corporations*: Nor the Penalties mentioned in the aforesaid Act, made in the Two and Twentieth Year of his Majesties Reign; for or by reason of such Persons Preaching at any Meeting for the Exercise of Religion: Provided that such Person shall not at any time Preach in any Place, but with the Doors not Locked, Barred, or Bolted. And ~~Whereas~~ some Dissenting Protestants scruple the Baptizing of Infants:

**Be it Enacted**, by the Authority aforesaid, That every Person in pretended Holy Orders, or pretending to Holy Orders, or Preacher or Teacher, that shall subscribe the aforesaid Articles of Religion, except before excepted: And also except part of the Twenty Seventh Article touching Infants Baptism, and shall take the said Oaths, and make and subscribe the Declaration aforesaid, in manner aforesaid, ever such Person shall enjoy all the Priviledges, Benefits, and Advantages, which any other Dissenting Minister, as aforesaid, might have or enjoy, by Vertue of this Act.

**And be it further Enacted**, by the Authority aforesaid, That every Justice of Peace may at any time hereafter, require any Person that goes to any Meeting for Exercise of Religion, to make and subscribe the Declaration aforesaid, and also to take the said Oaths of Allegiance and Supremacy, or Declaration of Allegiance hereafter mentioned (in case such Person scruple the taking of an Oath) and upon his refusal thereof, such Justice of Peace is hereby required to commit such Person to Prison without Bayl or Maine Prize, and to certify the name of such Person to the next General or Quarter Sessions of the Peace to be held for that County; and if such Person so Committed, shall upon a second tender at the General or Quarter Sessions of the Peace, refuse to make and subscribe the Declaration aforesaid, and to take the said Oaths of Allegiance and Supremacy; or instead of the said Oaths, to make and subscribe the said Declaration of Allegiance as aforesaid: His refusal shall be then and there Recorded, and shall be taken thenceforth to all Intents and Purposes for a Popish Recusant Convict, and suffer accordingly, and Incurr all the Penalties and Forfeitures of all the aforesaid Laws.

**And Whereas**, There are certain other Persons Dissenters from the Church of England, which scruple taking of any Oaths.

**Be it Enacted**, by the Authority aforesaid, That every such Person shall make and subscribe the aforesaid Declaration, and also this Declaration of Allegiance following: *Viz.*

I A. B. Do truly and sincerely Acknowledge, Profess, Testify, and Declare in my Conscience before God and the World, That King Charles the Second, is Lawful and Rightful King of this Realm and of all other his Dominions and Countreys; and that the Pope neither of himself nor by any Authority of the Church or See of Rome, or by any other means, with any other, hath any Power or Authority to depose the King, or dispose any of his Kingdoms or Dominions, or to Authorize any Forraign Prince, to Invade or Annoy him or his Countreys, or to discharge any of his Subjects of their Allegiance and Obedience to him; or to give Licence or Leave to any of them, to bear Arms, raise Tumults, or offer any Violence or Hurt to his Person, State, or Government, or to any of his Subjects within his Dominions. Also I do solemnly Profess and Declare from my heart, That notwithstanding any Declaration or Sentence

tence of Excommunication, or Deposition made or granted, or to be made or granted by the Pope or his Successors, or by any Authority derived or pretended to be derived from him or his See, against the said King, his Heirs, or Successors, or any Absolution of the said Subjects from their Obedience. I will be true and faithful to him, his lawful Heirs and Successors, and him or them by Gods help, will endeavour to preserve to the uttermost of my power against all Conspiracies and Attempts whatsoever, which shall be made against his or their Persons and Government, by Reason or Colour of any such Sentence or Declaration or otherwise; and will do my best endeavour, to disclose and make known unto the King, his Heirs and Successors, all Treasons and Traiterous Conspiracies, which I shall know or hear of, to be made against him or any of them: And I do further solemnly profess and declare, that I do from my heart Abhor and Detest, as Impious and Heretical, this Damnable Doctrine and Position, That Princes which be Excommunicated or Deposed by the Pope, may be Deposed and Murdered by their Subjects or any other whatsoever: And I do believe, and in my Conscience am resolved, That neither the Pope nor any other Person whatsoever, have power to absolve me of this Declaration or any part thereof, which I acknowledge by good and lawful Authority, to be lawfully Administered unto me, and do renounce all Pardons and Dispensations to the contrary.

And all these things I do plainly and sincerely acknowledge and declare, according to these express words by me spoken, and according to the plain and common sense and understanding of the same words, without any Equivocation or Mental Reservation, or secret Reservation whatsoever: And I do solemnly in the presence of God make this Recognition and Acknowledgment, heartily, willingly, and truly, as becometh a True Christian.

And every such Person that shall make and subscribe the two Declarations aforesaid, being thereunto required, shall be exempted from all the Pains and Penalties of all and every the aforementioned Statutes made against Popish Recusants or Protestant Nonconformists, and also from the Penalties of an Act made in the Thirteenth and Fourteenth Year of his Majesties Reign, Entituled, An Act for preventing Mischiefs that may arise by certain Persons called Quakers, refusing to take lawful Oaths, and enjoy all other the Benefits, Priviledges, and Advantages under the Proviso and Condition which any other Dissenter shall or ought to enjoy by vertue of this Act.

Prohibited always, and be it further Enacted, by the Authority aforesaid, That in case any Persons shall refuse to take the Oaths of Allegiance and Supremacy, when tendered to him (which every Justice of Peace is hereby inpowered to do, without any special Commission for that purpose) such Persons shall not be admitted to make and subscribe the two Declarations aforesaid, though required thereunto, either before any Justice of Peace, or at the General or Quarter Sessions, before



fore or after any Conviction of Popish Recufants, as aforefaid, unlefs fuch Perfon come within Thirty one days after fuch tender of the Declaration to him; and produce two fufficient Proteftant Witneffes to teftifie upon Oath, that they believe him to be a Proteftant Diffenter, and fhall alfo produce a Certificate under the Hands and Seals of the Minifter or Preacher, and Twelve or more fufficient Men of the Congregation to which he pretends, owning him for one of them.

**Provided** alfo, and **Be it Enacted**, by the Authority aforefaid, that until fuch Certificate, as aforefaid, be produced, and two Proteftant Witneffes come to Atteft his being a Proteftant Diffenter: The Juftice of the Peace fhall, and is hereby required, to take a Recognizance, with Two Sureties, in the Penal Sum of

for his producing the fame; and if he cannot give fuch Security, to commit him to Prifon, there to remain, until he has produced fuch Certificate and Two Witneffes as aforefaid.

**And be it further Enacted**, by the Authority aforefaid, That if any Perfon fhall fubfcribe the aforefaid Articles of Religion, except before excepted, and fhall take the Oaths of Allegiance and Supremacy, and the Declaration in manner as aforefaid, every fuch Perfon may keep a School, for the teaching and inftructing Youth, or be a Tutor in any Private Houfe or Family. But no Perfon, as aforefaid, fhall be capable of being Mafter or Ufher of any Free-School or School Endowed.

**Provided** alfo, And it is the true intent and meaning of this Act, That all the Laws made and provided, for the frequenting of Divine Service on the Lords day, commonly called Sunday, fhall be ftill in force, and executed againft all Perfons that offend againft the faid Laws, unlefs fuch Perfons come to fome Congregation or Affembly of Religious Worfhip, allowed and permitted by this Act.

**Provided** always, and **be it further Enacted**, by the Authority aforefaid, That neither this Act, nor any Clause, Article, or thing herein contained, fhall extend or be conftrued to extend to give any Eafe, Benefit, or Advantage, to any Papift or Popifh Recufant whatfoever, or any Perfon that fhall deny in his Preaching or Writing, the Doctrine of the bleffed Trinity, as it is declared in the aforefaid Articles of Religion.

**F I N I S.**